

U.S. Appl. Ser. No. 10/566,885  
Supplemental Amendment AF dated December 19, 2008  
Reply to Advisory action mailed December 8, 2008

**Amendments to the Drawings:**

Applicant submits two (2) sheets of new drawings, each sheet labeled "New Sheet", containing new Figures 6 and 7. These new drawings do not introduce new matter. Applicants also submit herewith one (1) sheet of replacement drawings, the sheet labeled "Replacement Sheet", containing amended Figure 2.

### **Remarks/Arguments**

Claims 23-45 were pending in the application. Claims 23-27, 30, 38-42 and 45 were rejected. Claims 28, 29 and 31-37 were withdrawn. Claims 43 and 44 were merely objected to and no claims were allowed. By entry of the Amendment after Final under 37 C.F.R. 1.116 filed on November 19, 2008, claims 28, 29, 31-38, 42 and 43 were canceled, claims 23, 39, 40 and 44 were amended, and no new claims were added. Support for amendments to claim 23 may be found in claims 38, 42 and 43. Support for the amendments to claims 39, 40 and 44 may be found in the claims as originally filed. Support for the amendments to the specification may be found in the specification, claims and drawings as originally filed. No new matter was presented.

In response to the Notice of Non-Compliant Amendment included with the Advisory action, Applicants submit herewith the entire corrected amendment in accordance with 37 C.F.R. §1.121 (See MPEP §714) as the non-compliant amendment is an after-final amendment. In the Advisory action, the Examiner indicated the Amendment after Final of November 19, 2008 would otherwise be entered upon correction of the non-compliance. The present Supplemental Amendment after Final includes the amendments of the aforementioned Amendment after Final dated November 19, and also includes two sheets of new drawings, each sheet labeled "New Sheet", containing new Figures 6 and 7. Applicants also submit additional amendments to the specification to include descriptions of and references to both new Figures 6 and 7.

### **Allowable Subject Matter**

Applicants thank the Examiner for taking the time to conduct the prior art searches and determine claims 43 and 44 would be allowable if rewritten to over the rejection under 35 U.S.C. §112, second paragraph, set forth in the present Office action and to include all of the limitations of the base claim and any intervening claims (with respect to claim 43).

### **Drawings**

The examiner objects to the drawings under 37 C.F.R. §1.83(a). Applicant traverses the rejection.

The examiner asserts the drawings must show every feature of the invention recited in the claims. Applicant submits herewith two (2) sheets of new drawings. New Figures 6 and 7

illustrate the “planes extending from the longitudinal axis of the shaft 30” for both embodiments of the screw head (36, 36a).

The examiner also objects to Figure 2 under 37 C.F.R. §1.83(a). Applicant traverses the rejection.

The examiner asserts it is unclear where the axis M and the axis A terminate in Figure 2. The examiner notes that both axes are in the vertical direction and should be distinguished from each other using different patterns. Applicant submits herewith one (1) sheet of replacement drawings containing amended Figure 2. Figure 2 has been amended to provide a different pattern for axis A. Axes A and M now have different patterns to distinguish each respective axis.

In light of the foregoing, Applicant respectfully requests the examiner withdraw the objections to the drawings and find the drawings comply with the statutory requirements under 37 C.F.R. §1.83(a).

#### **Claim Rejections-35 U.S.C. §112**

The examiner asserts claims 23-27, 30 and 38-45 are rejected under 35 U.S.C. §112, second paragraph. Applicant traverses the rejection.

Applicant has amended independent claim 23 to recite the following: “the first hollow profile (10) has a profile channel (14) concentric to a profile longitudinal axis (A) of the second hollow profile (10<sub>a</sub>) and also, in at least one profile side surface (20) of the first hollow profile (10).” The claim term “profile longitudinal axis (A)” is that of the claim term “the second hollow profile (10<sub>a</sub>). And, the claim term “in at least one profile side surface” is part of the “the first hollow profile (10)”. Support for these amendments may be found at page 7, last paragraph and page 9, second paragraph of Applicant’s specification.

With regard to claim 45, Applicant has amended claim 45 to replace the word “an” with “the” for “angle (y)” and replace the word “an” with “the” for “an axis (Q)”.

For at least these reasons, Applicant contends claims 23-27, 30 and 38-45 are definite and particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In light of the foregoing, Applicant respectfully requests the examiner withdraw the rejection under 35 U.S.C. §112, second paragraph, and find claims 23-27, 30 and 38-45 are

allowable.

**Claim Rejections-35 U.S.C. §102**

The examiner asserts claims 23 and 30 are rejected under 35 U.S.C. §102(b) as being anticipated by DE 20106561 to Muller. Applicant traverses the rejection.

Applicant has amended claim 23 to incorporate dependent claims 38, 42 and 43.

The examiner indicated claim 43 would be allowable if rewritten to overcome the rejection under 35 U.S.C. §112, second paragraph. Claim 23 is rejected under 35 U.S.C. §112, second paragraph, and claim 43 is ultimately dependent upon claim 23. Applicant contends the amendments to claim 23 overcome the rejection under 35 U.S.C. §112, second paragraph, and thus claim 43 is now allowable. Applicant has amended claim 23 to incorporate claim 43 and intervening claims 38 and 42. The examiner determined claim 43 is not anticipated by the teachings of Muller. Thus, Applicant contends amended independent claim 23 is not anticipated by the teachings of Muller.

For these reasons, Applicant contends claims 23 and 30 are patentable and not anticipated by the teachings of Muller.

In light of the foregoing, Applicant respectfully requests the examiner withdraw the rejection under 35 U.S.C. §102(b) and find claims 23 and 30 are allowable.

**Claim Rejections-35 U.S.C. §103**

The examiner asserts claims 24-27, 40-42 and 45 are rejected under 35 U.S.C. §103(a) as being unpatentable over DE 20106561 to Muller in view of U.S.P.N. 4,685,848 to Langer. Applicant respectfully traverses the rejection.

Claims 24-27, 40-42 and 45 are all ultimately dependent upon amended independent claim 23.

The examiner indicated claim 43 would be allowable if rewritten to overcome the rejection under 35 U.S.C. §112, second paragraph. Claim 23 is rejected under 35 U.S.C. §112, second paragraph, and claim 43 is ultimately dependent upon claim 23. Applicant contends the amendments to claim 23 overcome the rejection under 35 U.S.C. §112, second paragraph, and thus claim 43 is now allowable. Applicant has amended claim 23 to incorporate claim 43 and

intervening claims 38 and 42. The examiner determined claim 43 is not obvious in light of the combined teachings of Muller in view of Langer. Thus, Applicant contends amended independent claim 23 is not obvious in light of the combined teachings of Muller in view of Langer.

For at least these reasons, Applicant contends claims 24-27, 40-42 and 45 are patentable and not obvious in view of the combined teachings of Muller in view of Langer.

In light of the foregoing, Applicant respectfully requests the examiner withdraw the rejection under 35 U.S.C. §103(a) and find claims 24-27, 40-42 and 45 are patentable.

### CONCLUSION

In light of the foregoing, it is submitted that all of the claims as pending patentably define over the art of record and an early indication of same is respectfully requested.

An earnest and thorough attempt has been made by the undersigned to resolve the outstanding issues in this case and place same in condition for allowance. If the Examiner has any questions or feels that a telephone or personal interview would be helpful in resolving any outstanding issues which remain in this application after consideration of this amendment, the Examiner is courteously invited to telephone the undersigned and the same would be gratefully appreciated.

It is submitted that the claims as amended herein patentably define over the art relied on by the Examiner and early allowance of same is courteously solicited.

If any fees are required in connection with this case, it is respectfully requested that they be charged to Deposit Account No. 02-0184.

Respectfully submitted,  
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